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Mitchell Denies Mail-Opening Role

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Former Attorney General John N. Mitchell denied yesterday that he had ever been told of the Central Intelligence Agency's secret mail openings despite CIA records stating that Mitchell fully concurred in the project.

Free on appeal from his conviction in the Watergate cover-up conspiracy, Mitchell told the Senate intelligence committee that he thought the CIA was simply conducting a mail cover operation—recording information on envelopes—and that the spy-

agency documents suggesting otherwise were not to be believed.

Such "memorandums for the file," Mitchell protested, "become the most self-serving documents anybody can think of."

Other documents concerning FBI mail intercepts, which lasted longer than the CIA's, were introduced later at the hearing and suggested strongly that former Attorney General Nicholas DeB. Katzenbach had been informed of at least some mail openings.

The FBI records also showed a concerted effort by the Johnson administration to head off revelations at Senate privacy hearings in 1965 that apparently came close to uncovering the secret FBI intercepts at least.

Now general counsel with International Business Machines Corp., Katzenbach said in New York he had been aware of FBI "mail covers" and of "some CIA operation with respect to the mail and Soviet officials." But he maintained, "I was never informed that mail was being opened."

Committee chairman Frank Church (D-Idaho) told reporters that Katzenbach will be called to testify later.

Church said the committee staff also would contact Sen. Hubert H. Humphrey (D-Minn.). According to a Feb. 27, 1963, FBI memo, Humphrey, who was then Vice President, had agreed to talk to then-Sen. Edward Long (D-Mo.), chairman of the privacy inquiry, about keeping the hearings under control.

In other developments at the hearing:

—An FBI counterintelligence expert, William Branigan, acknowledged that the CIA's mail-opening project—which lasted from 1953 to

1973—never once led the bureau to "a single illegal (foreign) agent" in this country. Although the CIA furnished the FBI with copies of some 57,000 of the letters it illegally opened over the years, Branigan agreed with committee counsel Fritz Schwarz that a lot of it was "junk" and had nothing to do with counterespionage.

Instead, Schwarz said, much of the information dredged up dealt with individuals involved in the peace movement, teaching and women's groups.

—FBI officials testified that they conducted eight major mail-opening projects between 1940 and 1966, but said these were mostly targeted to "espionage matters" and were less of a fishing expedition than the CIA program. However, W. Raymond Wannall, assistant FBI director in charge of the Intelligence Division, acknowledged that the bureau also picked up other domestic information, on topics ranging from antiwar groups to pornography, that also was carefully filed.

Under questioning by Sen. Walter Huddleston (D-Ky.), Wannall said he knew of no prosecutions that used any tainted evidence gathered from the FBI's mail openings. He said two prosecutions were dropped because they involved mail intercepts.

—A retired FBI inspector who had been assigned to the bureau's espionage-research branch, Donald L. Moore, said he was aware of the wiretapping of reporters "done with the knowledge and authority of the Attorney General" in the early '60s but the committee balked at hearing more details without a closed session first. Moore declined to elaborate during a break, but he was apparently referring to the tapping of reporters that the Rockefeller commission said took place in

1962 with the apparent approval of Attorney General Robert F. Kennedy.

Mitchell was summoned to testify after former CIA Director Richard M. Helms said Wednesday he felt sure he gave the Attorney General enough information produced by the CIA mail intercepts to make it plain that letters had been opened.

Mitchell said he had no recollection of getting such information from Helms or any other CIA official. He said the former CIA director had come to see him on another issue, which Mitchell declined to discuss publicly, and that the mail project was mentioned only in passing.

"As I understood it," Mitchell said, "what he was talking about was a mail cover operation."

Katzenbach gave much the same account when asked by a reporter about the FBI documents. The first, from Moore to FBI Assistant Director W. C. Sullivan on Oct. 2, 1964, dealt with a "mail intercept" that had been used in building a spy case against Soviet agents Reober Balich and his wife whom the FBI had arrested at their Washington apartment.

In a telephone interview yesterday, Katzenbach said he "wouldn't have known what an intercept was at the time" or whether it involved the opening of mail as distinct from a mail cover operation.